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Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	3Com-86 (3611DSLUSP)
First Inventor	Vlad MITLIN
Title	Method and Apparatus For Evaluating Error Control Parameters of Self-Similar Constellations
Express Mail Label No.	EL632364255US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
  2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
  3. ☒ Specification [Total Pages (preferred arrangement set forth below)
    - Descriptive title of the invention
    - Cross Reference to Related Applications
    - Statement Regarding Fed sponsored R & D
    - Reference to sequence listing, a table, or a computer program listing appendix
    - Background of the Invention
    - Brief Summary of the Invention
    - Brief Description of the Drawings (if filed)
    - Detailed Description
    - Claim(s)
    - Abstract of the Disclosure
  4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets   - 5. Oath or Declaration [Total Pages   - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [1] Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (2)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_ / \_\_\_\_\_  
Prior application information Examiner \_\_\_\_\_ Group Art Unit. \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	<input type="checkbox"/> Correspondence address below	
007265 (Insert Customer No. or Attach bar code label here)		
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Peter L. MICHAELSON	Registration No. (Attorney/Agent)	30,090
Signature	<i>Peter L. Michaelson</i>	Date	Aug 25, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

(3COM86TRANS/63:ca)

JC929 U.S. PTO  
09/865763

05/25/01

# MICHAELSON & WALLACE

A Partnership of Intellectual Property and Technology Lawyers

Doc. No. 3Com-86(3611.DSL.US.P)

May 25, 2001

## PATENT APPLICATION



Peter L. Michaelson  
NJ, NY, PA, AK Bars

Robert M. Wallace  
CA Bar

Christopher R. Balzan  
CA Bar

Eric J. Aagaard  
CA Bar

Janet M. Skafar  
CA Bar

Arthur L. Liberman  
D.C. Bar

John T. Peoples  
NJ Bar

Edward M. Fink  
NJ, NY, D.C. Bars

Ronald L. Drumheller  
NY Bar

Jeremiah G. Murray  
Patent Agent

Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D. C. 20231

Sir:

### FEE TRANSMITTAL FORM

Enclosed herewith for filing is the following  
**utility** patent application:

Applicant: **Vlad MITLIN**

Title of application: **METHOD AND APPARATUS FOR EVALUATING  
ERROR CONTROL PARAMETERS OF  
SELF-SIMILAR CONSTELLATIONS**

Pages of application: 55 (which includes 10 pps. of claims  
[1-42] and 1 page of abstract)

Sheets of drawing: 10 (FIGs. 1-13)

Executed on: **May 23, 2001**

Docket No.: **3Com-86(3611DSLUSP)**

### PATENT APPLICATION FILING FEE CALCULATION

	<u>No. Filed</u>	<u>Less</u>	<u>Rate/Claim</u>	<u>Fee</u>
Total				
Claims	<u>42</u>	-20	22 x \$18.00	\$ <u>396.00</u>
Independent				
Claims	<u>4</u>	-3	1 x \$80.00	\$ <u>80.00</u>
Minimum Filing Fee				\$ 710.00
Multiple Dependency Fee (if applicable - \$270.00)				\$ <u>00.00</u>

email:  
pmichaelson@mandw.com

web site:  
www.mandw.com

NJ Office (Reply to):

Parkway 109 Office Ctr.  
328 Newman Springs Rd.  
P.O. Box 8489  
Red Bank, NJ 07701  
Tel: 732-530-6671  
Fax: 732-530-6584/5  
Videoconference:  
732-224-0132 (ISDN)

Offices also in:  
Ventura, California  
Silicon Valley, California

-1-

\*\*\*EXPRESS MAIL CERTIFICATE APPEARS ON LAST PAGE\*\*\*

50% Reduction for Small Entity  
(Independent Inventor, Non-profit  
Corporation, or Small Business  
Concern)

\$- 00.00

TOTAL FILING FEE \$ 1,186.00

ASSIGNMENT RECORDATION \$ 40.00

**TOTAL FEES ENCLOSED** \$ 1,226.00

Our check in the amount of the total filing fee is enclosed herewith.

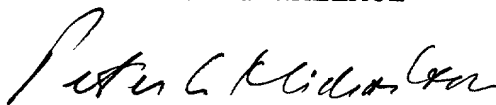
In the event that this check is unacceptable, insufficient or omitted, kindly charge the entire or additional filing fee, as appropriate, to my deposit account number 13-3083. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Also enclosed herewith for filing in connection with the enclosed application are:

- XX Postcard Receipts (2);
- XX Check;
- XX Utility Patent Application Transmittal;
- XX Application Data Sheet;
- XX Request and Certification Under 35  
U.S.C. 122(b)(2)(B)(i) (PTO/SB/35);
- XX A Recordation Form Cover Sheet and an Assignment of  
the application to: 3Com Corporation (2 pps.).
- XX An executed Declaration for Utility Patent  
Application (PTO/SB/01A); and
- XX An executed Power of Attorney form  
(PTO/SB/81).

Respectfully submitted,

MICHAELSON & WALLACE




Peter L. Michaelson, Attorney  
Reg. No. 30,090  
Customer No. 007265

\*\*\*EXPRESS MAIL CERTIFICATION\*\*\*

"Express Mail" mailing label number: EL632364255US

Date of deposit: May 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, **Box Patent Application**, Washington, D.C. 20231.

  
\_\_\_\_\_  
Signature of person making certification

Peter L. MICHAELSON  
\_\_\_\_\_  
Name of person making certification

(3COM86FEELTR/63:ca)

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Vlad MITLIN

Title

Method and Apparatus For Evaluating Error Control  
Parameters of Self-Similar Constellations

Atty Docket Number

3Com-86 (3611DSLUSP)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 25, 2001  
Date

Peter L. Michaelson  
Signature

Peter L. MICHAELSON

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(3COM86NONPUBL/63 : ca)